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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DEREK MYERS, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

CITY OF LAS VEGAS, a political
subdivision of the state of Nevada; JASON
BROOKS, individually; SERGIO GUZMAN,
individually; and JASON POTTS,
individually,

Defendants.

CASE NO. 2:25-cv-00562-GMN-DJA

**PROPOSED DISCOVERY PLAN AND
SCHEDULING ORDER**

SPECIAL SCHEDULING REVIEW
REQUESTED

The parties held a scheduling conference under Federal Rule of Civil Procedure 26(f) on June 12, 2025. The parties now submit their proposed discovery plan and scheduling order with deadlines longer than set forth in LR 26-1(b) and a special scheduling review requested.

1. Initial Disclosures: The parties shall exchange initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) no later than fourteen (14) days after the Rule 26(f) conference, which is June 26, 2025.

2. Discovery Cut-Off Date. The Defendants answered or otherwise appeared on May 8, 2025. The discovery cut-off date is **February 2, 2026**. Plaintiff shall file their Motion for Class Certification no later than 90 days after the entry of this Order.

3. Amending the Pleadings and Adding Parties. The deadline to amend the pleadings and add parties is **November 4, 2025**.

4. Expert and Rebuttal-Expert Disclosures. The deadline to disclose experts is

1 **December 4, 2025.** The deadline to disclose rebuttal experts is **January 5, 2026.**

2 5. Dispositive Motions. The deadline to file dispositive motions is **March 4, 2026.**

3 6. Pretrial Order. The deadline to file a pretrial order is **April 3, 2026.** If dispositive
4 motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after
5 the decision on the dispositive motions or further court order.

6 7. Fed. R. Civ. P. 26(a)(3). The disclosures required by this rule and any objections to
7 them must be included in the joint pretrial order.

8 8. Alternative Dispute Resolution. The parties certify that they met and conferred about
9 the possibility of using alternative dispute-resolution processes including mediation, arbitration, and
10 if applicable, early neutral evaluation. The parties agreed that discovery and expert practice would
11 likely need to occur before any meaningful settlement negotiations could occur in this case.

12 9. Alternative Forms of Case Disposition. The parties certify that they considered
13 consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use
14 of the Short Trial Program (General Order 2013-01). They do not desire either at this time.

15 10. Electronic Evidence. The parties certify that they discussed whether to present
16 evidence in electronic format to jurors for the purpose of jury deliberations and they agree to do so.
17 The parties see no unusual issues related to electronic evidence at this time. The parties stipulate to
18 providing exhibits and discovery in an electronic format compatible with the court's electronic jury
19 evidence display system.

20 11. **Special Scheduling Review. Counsel for the parties conferred with each other at
21 the Rule 26(f) conference and agreed that this was an unusual case where longer than six months
22 would be needed for discovery and have submitted this Plan based on that proposed deadline. Both
23 counsel agree on this and wish to express to the Court the following factors that justify this extended
24 period of discovery: This is a punitive civil rights class action alleging that hundreds if not more
25 than a thousand class members were wrongly arrested by the City of Las Vegas Marshals outside
26 the scope of their territorial jurisdiction. Given the anticipated time to adjudicate class certification,
27 a motion to dismiss which is currently pending, likely later motions for summary judgment, the
28 large dollar amount in dispute and the potential discovery into class members, it was agreed that the

1 Parties would request a longer than normal discovery period.

2 **IT IS SO STIPULATED AND AGREED.**

3 Dated this 26th day of June, 2025.

Dated this 26th day of June, 2025.

4 **BREEDEN & ASSOCIATES, PLLC**

CITY ATTORNEY

5 **/s/ Adam J. Breeden**

/s/ Nechole Garcia, Esq.

6 **ADAM J. BREEDEN, ESQ.**

NECHOLE GARCIA, ESQ.

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Attorneys for Defendants

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IT IS SO ORDERED

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DATED: _____

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